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IAN ZABARTE: Good evening. My name is Ian Zabarte, I-a-n, Z-a-b-a-r-t-e.

Is the court reporter licensed in Nevada? Next question, is the record a verbatim transcript or a certified transcript?

I'm here representing the Western Shoshone National Council, government of the Western Shoshone Nation.

1 [I'm formally requesting a 45-day extension to the comment period and additional hearing places -- Reno, Elko, Ely and individually with each Nevada Indian tribe.]

2 [With respect to the Supplement, 3.1.1, land use and ownership, the Department of Energy continues to violate constitutional protections of Western Shoshone sovereignty and property. The 1863 Treaty of Ruby Valley, which was formal recognition, the most formal recognition between governments by its activities at Yucca Mountain. The Constitution has not changed nor has the treaty.

The Department of Energy is trespassing. The fact that the Department of Energy does not own Yucca Mountain is a disqualifying condition under the Nuclear Waste Policy Act of 1982.]

3 Further, the Nuclear Regulatory Commission will not license Yucca Mountain. [Stop destroying Western Shoshone property.

3.1.5, cultural resources, ground disturbing activities will continue to have impacts on Western Shoshone living culture, impacts for our tribal interest at Fortymile Wash and the surrounding area including Yucca Mountain. The Western Shoshone National Council has not been formally contacted, nor has the government council of any other tribe. All tribes need to be contacted and respected based on a nation-to-nation relationship and formal consultation.]

4 [3.1.13, environmental justice, the principle of environmental justice is to prevent the disproportionate burden upon minority and low income and subsistent lifestyle populations. The Yucca Mountain project places a disproportionate burden upon Native Americans.]

5 [The Department of Energy has created a consolidated group of tribes excluding some tribes, creating its own, such as the Las Vegas Indian Center as a historic Indian tribe, and this is a social welfare institution here in the city, the Pahrump Paiute tribe, don't ask me who it is.

The consolidated group of tribes has also included Department of Energy subcontractors and employees. The Department of Energy uses this group to circumnavigate nation-to-nation relations between the tribes and the United States.

Cultural triage was also created and used by the Department of Energy. The department did a cultural study protocol which equals genocide.

The Draft Environmental Impact Statement and the Supplement recognize Western Shoshone issues as unresolved. Not to place these issues in the proper context of environmental justice is a violation of environmental justice principles. The Western Shoshone National Council will submit additional comments.

God save the Western Shoshone nation and the United States Constitution. Thank you.